

REMARKS**Summary of the Office Action**

In the Office Action, the Title of the Invention, specification and drawings are objected to for certain informalities.

Claim 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,973,817 to *Robinson, et al.*

Summary of the Response to the Office Action

Applicants amend the Title of the Invention and specification in accordance with the Examiner's helpful suggestions.

Claims 1 and 5 are amended and claims 9-26 are cancelled. Accordingly, claims 1-8 are pending for further consideration.

Drawings

To overcome the Office Action's objection of the drawings, Applicants concurrently file a Submission of Replacement Formal Drawings with three (3) sheets of replacement drawings to substitute the original filed drawing sheets. The replacement drawings amend Figs. 2 and 3a-3b to add the legend "RELATED ART." Applicants respectfully request that the objection to the drawings be removed.

All Subject Matter Complies With 35 U.S.C. § 102(b)

Claim 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Robinson, et al.* This rejection is respectfully traversed in view of the above amendments to claims 1 and 5 and the following comments.

Applicants respectfully submit that *Robinson et al.* does not anticipate each and every

feature of Applicants' proposed amended independent claims 1 and 5 and that all rejections under 35 U.S.C. § 102(b) should be withdrawn. Namely, Applicants contend that newly amended claim 1 recites the features of a "comb form includes two opposing electrodes interdigitated with each other," and similarly claim 5 recites the features of a "plurality of combs are interdigitated between the first and second transparent electrode." At least these features are not disclosed or taught by *Robinson et al.*

Robinson et al. shows an two electrodes 13 and 15 at opposite sides of an optical phase modulator. However, *Robinson et al.* shows only the transparent electrode 13 as being interdigitated. See Fig. 10 and col. 8, line 59 to col. 9, line 16 of *Robinson et al.* The pixel electrode 15 is not interdigitated with the opposing transparent electrode 13. See Fig. 10 and col. 9, lines 6-9 of *Robinson et al.* Therefore, *Robinson et al.* does not teach or suggest a "comb form includes two opposing electrodes interdigitated with each other," as recited in claim 1. Similarly, *Robinson et al.* does not teach or suggest a "plurality of combs are interdigitated between the first and second transparent electrode," as recited in claim 5. Because *Robinson et al.* does not disclose these features, it cannot anticipate the invention recited in claims 1 and 5.

As pointed out in MPEP § 2131, a claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051 (Fed. Cir. 1987). Therefore, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because *Robinson et al.* does not teach or suggest each feature of independent claims 1 and 5, as proposed to be amended.

Additionally, Applicants respectfully submit that dependent claims 2-4 and 6-8 are also

allowable insofar as they recite the patentable combinations of features recited in claims 1 and 5, as well as reciting additional features that further distinguish over the applied prior art.

CONCLUSION

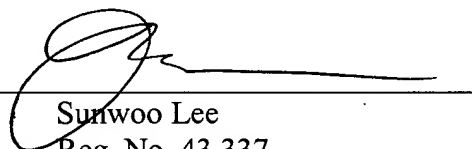
In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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